


<p>California Department of Justice DIVISION OF LAW ENFORCEMENT Patrick N. Lunney, Director</p> 	<h1>INFORMATION BULLETIN</h1>	
<p><i>Subject:</i></p> <ol style="list-style-type: none">1. Listing of Missing Persons2. Guidelines for Collection, Storage, and Submission of Samples for DNA Analysis from Family Members of Missing Persons3. Who to Contact to Order Missing Persons DNA Specimen Collection Kits	<p><i>No.</i></p> <p>02-BFS-03</p>	<p><i>Contact for information:</i></p> <p>Department of Justice Missing Persons DNA Program Jeannine Willie, (916) 227-5997</p>
	<p><i>Date:</i></p> <p>July 19, 2002</p>	

To: All Chiefs of Police, Sheriffs, District Attorneys, California Highway Patrol, Coroners, Medical Examiners, Forensic Pathologists, Forensic Anthropologists and Forensic Odontologists

The purpose of this Information Bulletin is to:

- Provide your agency with a one-time computer listing of “high-risk” missing persons reported to the Department of Justice (DOJ) by your agency.
- Provide guidance for the collection, storage, and submission of samples from family members and/or personal articles belonging to a missing person to the DOJ Missing Persons DNA Program for DNA testing.
- Notify your agency who to contact to order Missing Persons DNA Specimen Collection kits.

BACKGROUND

On January 1, 2001, Penal Code Sections 14250-14251 established the State of California’s Missing Persons DNA Program (Senate Bill [SB] No. 1818, §2; SB No. 297, §1). The Legislature requires the California Department of Justice (DOJ) to develop a deoxyribonucleic acid (DNA) data bank for all cases involving the report of an unidentified person or a “high-risk” missing person. A “high-risk” missing person is defined as a person missing as a result of 1) a stranger abduction, 2) suspicious/unknown circumstances, or 3) where there is reason to assume the person is in danger or deceased, and that person has been missing for more than 30 days, or less than 30 days at the discretion of the investigating agency.

DNA from unidentified persons will be compared to the DNA from the missing person and/or the missing person’s family member(s). The data bank will aid in the identification of human remains that could not be identified by traditional methods. The Missing Persons DNA Program

will only perform DNA analysis after all conventional identification methods have been attempted. Thus, identification methods employing fingerprints, odontology and anthropology should be attempted before submitting samples to the Missing Persons DNA Program for DNA analysis.

Please keep in mind that DNA or other forensic identification information can only be disclosed to an authorized individual or agency or for the purpose of identification or for use in a criminal investigation, prosecution or defense. A violation of the law is punishable as a misdemeanor and violators may be held civilly liable, is guilty of a misdemeanor and may be civilly liable.

LISTING OF MISSING PERSONS REPORTED TO DOJ BY YOUR AGENCY

Enclosed is a one-time computer listing of "high-risk" missing persons reported to the DOJ by your agency. This listing is only a listing of your agency's "high-risk" missing person cases in the California Justice Information System (CJIS) Missing Persons System with the following REPORT TYPES: 1) Stranger Abduction, 2) Suspicious Circumstances, and 3) Unknown Circumstances. We request that your agency verify if the missing person is, in fact, still missing. If the person is still missing, notify the reporting party of the missing person's family's right to provide a voluntary sample for DNA testing, and that they may submit a DNA sample from a personal article(s) belonging to the missing person.

If your agency has other missing person cases where there is reason to assume the person is in danger or deceased, and that person has been missing for more than 30 days or less than 30 days at the discretion of the investigating agency, notify the reporting party of the missing person's family's right to provide a voluntary sample for DNA testing, and that they may submit a DNA sample from a personal article(s) belonging to the missing person. Identification by other means (e.g., dental, physical, etc.) will be attempted before DNA analysis begins. If the missing person's dental/body X-rays and photographs have not been submitted to the DOJ Missing and Unidentified Persons Section, request these items from the family member and forward those items to the Department of Justice Missing and Unidentified Persons Section, 4949 Broadway, Room B216, Sacramento, CA 95820.

Submitting samples for DNA analysis is voluntary. No incentive or coercion may be used to compel a parent or relative to provide a sample. If the family member agrees to provide a voluntary sample, follow the sample submission guidelines listed below to obtain a voluntary sample(s).

Questions related to the one-time listing of your agency's "high-risk" missing persons should be directed to Jeannine Willie, Missing Persons DNA Program Administrator, at (916) 227-5997.

SAMPLE SUBMISSION GUIDELINES

For the missing person file, oral swabs will provide sufficient DNA to conduct comparison and analysis. For samples from the missing person, baby teeth, hairs, a toothbrush or other personal article may be appropriate for DNA profiling. DNA testing is very sensitive. Therefore, it is imperative that steps be taken to prevent contamination. Contamination could come from the person handling the sample, the environment, or the tools used during the collection or examination. The Commission on Peace Officer Standards and Training (POST) and the Office of the Attorney General have developed a Missing Persons DNA training video that explains the DNA collection process. The video, along with the steps outlined on the Missing Persons DNA Submission Form, will provide the necessary information for proper collection of samples and contamination prevention. The video will be broadcast statewide by POST on its California POST Television Network satellite on Thursday, September 5, 2002, from 10:00 A.M. – 10:20 A.M.

To view the satellite training video, contact your agency's training officer. It is recommended that all law enforcement personnel collecting DNA samples view the training video before collecting DNA samples.

The following guidelines should be followed when using the DOJ Missing Persons DNA Specimen Collection Kit to collect DNA samples from family members of missing persons or personal article(s) belonging to the missing person.

1. Read the entire Missing Persons DNA Donor Submission Form Instruction Sheet (attached) prior to sample collection. Use the Instruction Sheet as your guide when collecting the samples.
2. Verify that the kit contains all items listed on the *Kit Content List*. If items are missing or the kit box security seal is broken, **DO NOT** use the kit. Contact the Department of Justice Missing Persons DNA Program at (916) 227-5997 for a replacement kit.
3. The law enforcement representative must completely fill out the Missing Persons DNA Donor Submission Form enclosed in the kit.
4. Inform the family member that they may give a voluntary sample for DNA testing, or that they may submit a DNA sample from a personal article(s) belonging to the missing person. Submitting samples for DNA analysis is voluntary. No incentive or coercion shall be used to compel a parent or relative to provide a sample.
5. If the family member agrees to voluntarily submit a sample for DNA analysis, instruct the family member to sign and date the form indicating that he/she voluntarily agrees to provide a sample for DNA analysis and that he/she understands the DNA sample is to be used only for the purpose of identifying the missing person and no incentive or coercion has been used to compel the donor to provide a DNA sample.
6. Advise the family member that it is possible personal articles belonging to the missing person submitted for DNA analysis may not be returned. In many cases, all evidence provided will be used for DNA analysis.
7. Indicate on the form whether dental/body X-rays and/or photographs have been submitted to

the DOJ's Missing and Unidentified Persons Section. Identification by other means (e.g., dental, physical, etc.) will be attempted before DNA analysis begins. If X-rays/photographs have not been submitted, request these items from the family member and forward those items to the Department of Justice Missing and Unidentified Persons Section, 4949 Broadway, Room B216, Sacramento, CA 95820. **DO NOT** return X-rays/photographs in the collection kit box.

8. Always use a new kit and a new pair of gloves for each donor and a new kit and a new pair of gloves for articles from the missing person. The law enforcement representative collecting the sample should always wear gloves to avoid contaminating the family member's DNA. The gloves are not biohazardous waste and do not require special disposal; however, as a courtesy, safely dispose of the non-reusable used gloves at your agency's facility in the proper receptacle. **DO NOT** place used gloves in the kit.
9. Samples should be collected from both biological parents of the missing person(s). If both parents are not available, use the reference chart below to determine the order for collecting samples from other biological family members. If no family members referenced on the chart below are available, contact the Missing Persons DNA Program at (510) 620-3315 for additional donor information.

Sample Collection Reference Chart

Priority	Female Missing Person (MP)	Male Missing Person (MP)
First Choice	Both Biological Parents	Both Biological Parents
Second Choice	One Parent and MP's Siblings	One Parent and MP's Siblings
Third Choice	Children and Spouse	Children, Spouse, and MP's Siblings
Fourth Choice	Children	Children, Spouse, and any Relative on the MP's Mother's side
Fifth Choice	One Parent or MP's Siblings	One Parent and/or Children and/or MP's Siblings
Sixth Choice	Any Relative on MP's Mother's side	Any Relative on MP's Mother's side
Seventh Choice	-----	Any Relative on MP's Father's side

10. Retain the yellow copy of the form and the Instruction Sheet for your agency's records.
11. Include the missing person's crime report, any supplemental information and the white copy of the Missing Persons DNA Donor Submission Form in the kit box. Seal the kit as instructed on the Instruction Sheet.
12. Mail the kit to the DOJ Missing Persons DNA Program within 72 hours after collection. If you are unable to send the kit immediately after collection, it is recommended that you enter the kit into your agency's evidence locker. It is the responsibility of the collecting agency to forward the kit to the DOJ Missing Persons DNA Program within 72 hours after collection.

WHO TO CONTACT TO ORDER KITS

On September 5, 2002, the Missing Person DNA Program will begin accepting orders for the Missing Persons DNA Specimen Collection Kits. Kits will be distributed on request on an as-needed basis. To order kits, contact the Bureau of Forensic Services Missing Persons DNA Program at (916) 227-5997.

All Information Bulletins regarding the Missing Persons DNA Program can be viewed on the Attorney General's California Law Enforcement Web (CLEW) site at: <http://justice.hdcdojnet.state.ca.us/clew/>. Once on the CLEW site, follow the instructions below:

1. Type in your User-ID and password, then click on ENTER.



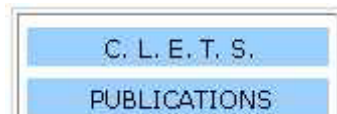
A web form for user login. It contains two input fields: 'User ID:' and 'Password:'. Below these fields is a button labeled 'ENTER'.

Need a UserID and password? - Click here

2. If you agree, click on CONTINUE.



3. Click on PUBLICATIONS.



4. Click on INFORMATION BULLETINS MENU.



5. Click on BFS.

Information bulletins on the CLEW site can be found in the following areas:



6. Click on the Information Bulletin of your choice.

<u>01-BFS-04</u> [PDF format]	Guidelines for Collection, Storage, and Submission of Samples for DNA Analysis from Unidentified Persons
<u>01-BFS-03</u> [PDF format]	California COLD HIT Program Addendum
<u>01-BFS-01</u> [PDF format]	California COLD HIT Program

Questions related to the submission of missing person DNA samples should be directed to Jeannine Willie, Missing Persons DNA Program Administrator, at (916) 227-5997.

Sincerely,

PATRICK N. LUNNEY, Director
Division of Law Enforcement

For BILL LOCKYER
Attorney General

Attachments

Missing Persons DNA Donor Submission Form Instruction Sheet

Include a **copy of the crime report** and any supplemental information in the collection kit box for shipment with samples.

IMPORTANT - READ BEFORE COLLECTING SAMPLE

- A) The Missing Persons DNA Training video should be viewed before collecting samples. To obtain a copy of the training video contact your agency's training officer.
- B) Do not use this kit if the kit box integrity seal was broken.
- C) Law enforcement personnel must completely fill out the Missing Persons DNA Donor Submission Form.
- D) Law enforcement personnel must witness buccal swab collection from the missing person's family member.
- E) Samples should be collected from both biological parents. If parents are not available, use the reference chart at the bottom of this page to determine the order for collecting samples from other biological family members. If no family members referenced on the chart below are available, contact the Missing Persons DNA Program at (510) 620-3315 for additional donor information.
- F) The following collection procedures should be performed on one donor at a time. Use a new kit and new pair of gloves for each donor and a new kit and a new pair of gloves for articles from the missing person. The use of the gloves are to prevent the law enforcement representative from contaminating the DNA sample. The gloves are NOT biohazardous waste and do not require special disposal.
- G) Obtain donor's authorization signature before collecting sample. For the purposes of this kit, "donor" refers to the person providing the sample, whether it is an oral swab or an article from the missing person.
- H) Do not touch the cotton bulb of the swabs.
- I) If samples exist from the missing person (e.g., baby teeth, hair samples or a toothbrush), place these samples in the envelope or bag provided with the kit. Use the envelope for smaller items. If a larger bag is needed, contact the Department of Justice (DOJ) Missing Persons DNA Program at (510) 620-3527 to request an appropriate sized sample bag. On the front of the envelope/bag, identify the sample being placed in the envelope/bag. Seal the envelope/bag. To identify if the evidence seal has been tampered with, write across the seal and onto the envelope/bag. Place the sealed envelope/bag in sample collection box.

DONOR SUBMISSION FORM INSTRUCTIONS

- STEP 1 Remove all components from kit box. Provide family member with the Missing Persons DNA Program brochure. Verify kit contains all items listed on the *Kit Content List*. If items are missing, do not use the kit.
- STEP 2 Fill out all information requested on the Missing Persons DNA Donor Submission Form and have donor sign where indicated. Verify donor's identification and indicate the type of identification and identification number provided.
- STEP 3 Following normal fingerprint procedures, roll the donor's right thumb where indicated on the Missing Persons DNA Donor Submission Form. If the right thumb is missing, roll the donor's left thumb. If the left thumb is missing, roll the right index finger. When the right thumb is missing, indicate which finger has been printed. Roll print on each page of form.
- STEP 4 Indicate whether a photograph of the missing person, dental and/or body X-rays have been submitted to the Department of Justice Missing and Unidentified Persons Section (MUPS). If not, obtain a photograph of the missing person, dental, and or body information (e.g., doctor's name, telephone number, whether dental/body X-rays are available) from the family member. Mail photograph, dental, and/or body information to: Department of Justice, Missing and Unidentified Persons Section, 4949 Broadway, Room B216, Sacramento, CA 95820

BUCCAL SWAB COLLECTION

- STEP 5 Have donor rinse mouth thoroughly with water.
- STEP 6 Put on gloves provided in the kit.
- STEP 7 Provide donor with two sterile *IntegriSwab* packages containing one cotton tip swab and shield per package. **DO NOT OPEN.**
- STEP 8 As instructed on the package, have donor peel open the *IntegriSwab* package containing a cotton tipped swab. Using the wood swab shaft (**DO NOT** touch the cotton swab), have the donor remove the swab from the package and out of the plastic shield. Have donor place swab in mouth and vigorously swab one side of cheek for 30 seconds. After 30 seconds of vigorously swabbing cheek, have the donor remove swab, place swab in swab shield, close the shield cap and return swab to the law enforcement representative.
- STEP 9 Using the second swab provided, follow the same procedures described in STEP 8, but have the donor swab their other cheek.
- STEP 10 Write the missing person's name, donor's name, agency name, case number, officer's name, date and description of evidence on the enclosed Swab/Miscellaneous Envelope. Follow these same procedures when submitting missing person samples placed in sample envelope/bag provided.
- STEP 11 Place both swabs in the Swab/Miscellaneous Envelope. Remove backing from evidence seal, affix seal where indicated on Swab/Miscellaneous Envelope, then date and initial seal as instructed in "I" above. Place the sealed envelope in sample collection box.
- STEP 12 Provide pink copy of the Missing Persons DNA Submission Form to the donor, retain yellow copy and Instruction Sheet for law enforcement records, place original white copy, **copy of the crime report** and any supplemental information into collection kit box for shipment with samples.
- STEP 13 If submitting buccal swabs, place the "Clinical Specimen-Saliva Sample" seal on the box lid in the dotted outlined area below the "Affix Postage" label.
- STEP 14 In the CHAIN OF CUSTODY section indicate officer sealing evidence and the mailing service used (e.g., United Parcel Service (UPS), US Postal Service). Seal the box with the red box security seals. Date and initial the seals as instructed in "I" above. Mail the sealed kit to the DOJ Missing Persons DNA Program within 72 hours after collection.
- STEP 15 As a courtesy, safely dispose of the non-reusable used gloves at your agency's facility in the proper receptacle. **DO NOT** place used gloves in the kit.

Sample Collection Reference Chart

Female Missing Person (MP)		Male Missing Person (MP)	
First Choice -	Both Biological Parents	First Choice -	Both Biological Parents
Second Choice -	One Parent and MP's Siblings	Second Choice -	One Parent and MP's Siblings
Third Choice -	Children and Spouse	Third Choice -	Children, Spouse and MP's Siblings
Fourth Choice -	Children	Fourth Choice -	Children, Spouse, and any Relative on MP's Mother's side
Fifth Choice -	One Parent or MP's Siblings	Fifth Choice -	One Parent and/or Children and/or MP's Siblings
Sixth Choice -	Any Relative on MP's Mother's side	Sixth Choice -	Any Relative on MP's Mother's side
		Seventh Choice -	Any Relative on MP's Father's side

California Department of Justice
Missing Persons DNA Program

Missing Persons DNA Donor Submission Form

Read entire instruction sheet prior to sample collection. Please print clearly.

DOJ DNA Tracking Number (DOJ use only.)

MISSING PERSON INFORMATION

FIRST NAME		MIDDLE NAME		LAST NAME		
SEX	DATE OF BIRTH		DATE REPORTED MISSING		DATE OF LAST CONTACT	
	MO	DAY	YR	MO	DAY	YR

FAMILY MEMBER VOLUNTARY SAMPLE

Please read the following information carefully.

Under California Penal Code Section 14250, family members or relatives of a "high-risk" missing person (MP) may voluntarily provide deoxyribonucleic acid (DNA) samples to law enforcement for testing and analysis purposes. A "high-risk" missing person is defined as a person missing as a result of: 1) A stranger abduction, 2) missing under suspicious/unknown circumstances, or 3) where there is reason to assume the person is in danger, or deceased, and that person has been missing for more than 30 days, or less than 30 days in the discretion of the investigating agency. After a report has been made of a person missing under "high-risk" circumstances, the investigating law enforcement agency shall wait no longer than 30 days to inform the parents or other appropriate relatives that they may give a voluntary sample for DNA testing, or that they may submit a DNA sample from a personal article belonging to the missing person. This DNA sample is to be used only for the purpose of identifying the missing person and the DNA sample and profile will be destroyed upon written request. No incentive or coercion shall be used to compel a parent or relative to provide a sample.

All information from DNA samples shall be confidential and shall only be disclosed as authorized by statute, e.g. to personnel of the DOJ, law enforcement officers, coroners, medical examiners, and district attorneys, and persons who need access to a DNA sample for purposes of the prosecution or defense of a criminal case, except that a law enforcement officer or agency may publicly disclose the fact of a DNA profile match after taking reasonable measures to first notify the family of an unidentified deceased person or the family of a high-risk missing person that there has been an identification.

I have reviewed and understand the procedures as explained above. I voluntarily agree to provide a sample for DNA analysis. I understand this DNA sample is to be used only for the purpose of identifying the missing person and no incentive or coercion has been used to compel me to provide a DNA sample.

SIGNATURE

DATE
MO DAY YR

I have reviewed and understand the procedures as explained above. I decline to provide a sample for DNA analysis.

SIGNATURE

DATE
MO DAY YR

DONOR INFORMATION - DNA SAMPLE PROVIDED BY

FIRST NAME		MIDDLE NAME		LAST NAME		DATE OF BIRTH		
						MO	DAY	YR
ADDRESS		APT #	CITY		STATE	ZIP		
TYPE OF IDENTIFICATION SUBMITTED		IDENTIFICATION NUMBER		RELATIONSHIP TO MISSING PERSON				

ROLL PRINT ON EACH PAGE OF FORM

TOP

BOTTOM

RIGHT THUMBPRINT

If right thumbprint missing, indicate finger printed. _____

INVESTIGATING AGENCY

AGENCY NAME		ADDRESS		CITY		STATE	ZIP
OFFICER COLLECTING SAMPLE FIRST NAME		LAST NAME		CASE NUMBER			
OFFICER'S SIGNATURE		IDENTIFICATION NUMBER	TELEPHONE NUMBER ()		DATE DNA SAMPLE TAKEN		
					MO	DAY	YR

DESCRIPTION OF SAMPLE(S) (One item per line. If sample is from missing person, identify each item submitted.)

ITEM #		PHOTOGRAPH/DENTAL INFORMATION		YES	NO
		MP PHOTOGRAPH SUBMITTED TO MUPS		<input type="checkbox"/>	<input type="checkbox"/>
		MP DENTAL X-RAYS SUBMITTED TO MUPS		<input type="checkbox"/>	<input type="checkbox"/>
		MP BODY X-RAYS SUBMITTED TO MUPS		<input type="checkbox"/>	<input type="checkbox"/>
		Name of Doctor: Telephone No: ()			
		If photograph/dental/body X-rays not previously submitted, collect at this time. Check here if collected. <input type="checkbox"/>			

CHAIN OF CUSTODY

ITEM #	RECEIVED FROM	DELIVERED TO	DATE
		MPDP-Richmond CA via	

Any person who discloses DNA or other forensic identification information to an unauthorized individual or agency or for any purpose other than for identification or for use in a criminal investigation, prosecution, or defense, is guilty of a misdemeanor and may be liable for civil damages.